

**FILED**

AUG 01 2008

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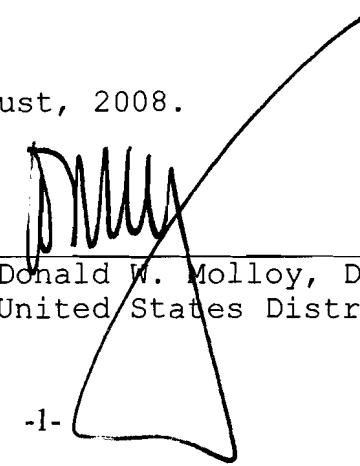
IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

THOMAS ST. VINCENT,	)	CV 08-73-M-DWM-JCL
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
WERNER ENTERPRISES, INC., JANVIER	)	
SMYTH, and JEAN GETRO ROSIER,	)	
	)	
Defendants.	)	
_____	)	

The Court having reviewed for clear error the Findings and Recommendations of United States Magistrate Judge Jeremiah C. Lynch, and having found no clear error therein,

IT IS HEREBY ORDERED that the Plaintiff's motion to remand (Doc. No. 9) is DENIED, and that the Amended Notice of Removal filed on June 23, 2008 (Doc. No. 14) takes effect and supersedes Defendant Werner's first Notice of Removal from this point forward.

DATED this 1<sup>st</sup> day of August, 2008.

  
\_\_\_\_\_  
Donald W. Molloy, District Judge  
United States District Court